IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 23790 of 2001

Between:

1 U.Ashok S/o Ramachander
R/o H.No.11-1-1206, Komatkunta ,
Afzalnagar , Hyderabad.
2 K.Vijay S/o Babu Rao
R/o 11-1-1113/D11/82, Afzalsagar ,
Hyderabad.
3 U.Raju S/o U.Ganapathy
R/o 11-1-1165B , Afzalsagar ,
Hyderabad.
4 R.Saibaba S/o R.K Murthy
R/o 11-1-1204/1/2 , Afzalsagar ,
Hyderabad.
5 B.Chennappa S/o Raiappa
R/o 11-1-890/C2 , Afzalsagar ,
Hyderabad.
6 K.Laddu S/o K.Sukram
R/o 11-1-1165/4 , Afzalsagar ,
Hyderabad.
7 N.Kunjulal S/o Shivram
R/o 11-1-1165/4 , Afzalsagar ,
Hyderabad.
8 G.Anand Rao
R/o 11-2-548, Komatkunta ,
Hyderabad.
9 K.Nagaraj S/o Papaiah
R/o 11-1-1165 /7 , Afzalsagar ,
Hyderabad.
10 K.Mallesh S/o Komaraiah
R/o 11-2-651 , Komatkunta ,
Hyderabad.
11 U.Raju S/o Ramchander
R/o 11-1-1165/4 , Afzalsagar ,

Hyderabad.

12 Devraj S/o Momin
R/o 11-1-1165/3 , Afzalsagar ,
Hyderabad.

13 U.Tamalabhai W/o RAmchander
R/o 11-1-1165/2 , Afzalsagar ,
Hyderabad.

14 Irfan S/o Shaik Moinuddin
R/o 11-2-585 , Habibnagar ,
Hyderabad.

15 Habeeb Abubker S/o Habeeb Martyzar
R/o 11-2-487 , Habibnagar ,
Hyderabad.

16 N.Yellamma S/o Shankaraiah
R/o 11-2-548/3/2 , Komatkunta ,
Hyderabad.

17 S.Gopichand S/o Ganapathy
R/o 11-1-1165/4 , Afzalsagar ,
Hyderabad.

18 T.Ashok S/o P.GRao
R/o 11-2-548/4 , Komatkunta ,
Hyderabad.

19 Syed Afzal S/o Babaiah
R/o 11-2-481 , Habibnagar ,
Hyderabad.

20 Habeeb S/o habeeb Mustraiq
R/o 11-1-1204/47/1/B , Afzalsagar ,
Hyderabad.

..... PETITIONERS

AND

1 Prohibition & Excise Superintendent
Narayanaguda , Hyderabad.

2 Deputy Commissioner for Prohibition& Excise Hyderabad Division
Nampally , Hyderabad.

3 Commissioner of Proh. & Excise
Government of Andhra Pradesh Hyderabad.

4 The Government of Andhra Pradesh Rep by Principal Secretary
Secretariat , Revenue (Excise -II) department,
Hyderabad.

5 Toddy Tappers Coop. Society Rep by President Sri Yadaiah Goud
Komatkunta , Afzalsagar ,
Golconda (M) , Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to declaring the Proceedings Cr.No.B4/5700/2001/P &Esh dt 01-10-01 signed on 03-10-01 by the 1st respondent in extending the licence period of 5th respondent from 01-10-2001 to 31-03-02 for conducting the business of the Toddy at the existing

premises without considering the objections of the petitioners and others is against the principles of natural justice arbitrary , contrary to law violative of rule 5 of A.P.Excise Rules 1969, and set aside the same and further direct the respondent to close down the toddy shop business of TCS Komatikunta in the existing premises by suspending the operation of CR.No.B4/5700/2001P&Esh dt 01-10-01 of the 1st respondent.

Counsel for the Petitioners: MR.AMARNATH GOUD THODUPUNURI

Counsel for the Respondent Nos 1 to 4: GP FOR PROHIBITION & EXCISE

Counsel for the Respondent No.5: MR.M.VISHNU VARDHAN REDDY

The Court made the following :

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ORDER:

The residents of Komatkunta area in Hyderabad are the petitioners. They were aggrieved by the action of the respondent Nos. 1 to 4 in permitting the 5th respondent to run a toddy shop in a place of worship in their area.

In view of the latest policy of the Government of Andhra Pradesh not permitting the activities of Toddy Tappers Cooperative Societies or TFT Licensees, the writ petition has become infructuous. However, if there is a revival in the policy of permitting the toddy shops in the city, it shall be open to the petitioners to seek redressal before the appropriate forum.

The Writ Petition, with the above observation, is dismissed. No costs.

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(V.V.S.RAO, J)

07-06-2005

vs

To

1 The Prohibition & Excise Superintendent
Narayanaguda , Hyderabad.
2 The Deputy Commissioner for Prohibition& Excise Hyderabad Division
Nampally , Hyderabad.
3 The Commissioner of Proh. & Excise
Government of Andhra Pradesh Hyderabad.
4 The Principal Secretary, Government of Andhra Pradesh,
Secretariat , Revenue (Excise -II) department,
Hyderabad.
5 Toddy Tappers Coop. Society, Rep by President Sri Yadaiah Goud
Komatkunta , Afzalsagar ,
Golconda (M) , Hyderabad.

6 Two CCs to the G.P for Prohibition and Excise, High Court of A.P.,

Hyderabad(O.U.T).

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